

15.49 hrs.

PRIVATE MEMBER'S BILL

COMPULSORY VOTING BILL - Contd.

MR. DEPUTY-SPEAKER: The House will now take up Item No. 48 - further consideration of the Compulsory Voting Bill.

Shri Bachi Singh Rawat .

श्री बची सिंह रावत 'बचदा' (अल्मोड़ा) : उपाध्यक्ष जी, 17 दिसम्बर, 2004 को इस पर चर्चा शुरू हुई थी कि देश की लोक सभा और विधान सभाओं के लिए जो मतदान हो, वह अनिवार्य होना चाहिए। इस सम्बन्ध में गैर सरकारी विधेयक को मेरे द्वारा प्रस्तुत किया गया था, जिस पर आज हम चर्चा कर रहे हैं। 17 दिसम्बर, 2004 के बाद माननीय सर्वोच्च न्यायालय में पीपल यूनियन आफ सिविल लिबर्टीज़, पीसीयूएल, के द्वारा एक जनहित याचिका पर उत्तर देने के लिए माननीय सर्वोच्च न्यायालय ने भारत के एटोर्नी जनरल को नोटिस दिया था कि वह पीआईएल निगेटिवोटिंग के बारे में थी।

देश के मतदाता अधिकतर उदासीन रहते हैं और किसी को भी मतदान करना नहीं चाहते। ऐसी स्थिति में नैगेटिवोटिंग करने के लिए उन्हें अधिकार मिलना चाहिए और वोटिंग मशीन पर एक बटन या चिन्ह नकारात्मक वोटिंग का भी अंकित होना चाहिए। इलेक्शन कमीशन को जब सूचना दी गयी तो उसने इस मामले का समर्थन करते हुए सर्वोच्च न्यायालय को यह जानकारी दी कि हमने केन्द्र सरकार को 10 दिसम्बर, 2001 और 5 जुलाई 2004 को दो बार, इस प्रकार का संशोधन रिप्रेजेंटेशन ऑफ पीपल एक्ट में लाने के लिए निवेदन किया है। इस बारे में हमारी प्रतिक्रिया थी कि इस पर चर्चा होनी चाहिए और चर्चा होने के बाद आम सहमति बननी चाहिए और इसका हमारी ओर से समर्थन किया जाता है। इसकी जो रैलीवेस है वह इसलिए है कि जहां सर्वोच्च न्यायालय नोटिस जारी कर रहा है या जहां जनहित याचिका आती है कि आम मतदाता किसी को भी वोटिंग करना नहीं चाहता है तो इसका नतीजा यह होता है कि कहीं पर 15 प्रतिशत और कहीं पर 20 प्रतिशत या दिल्ली जैसे शहर में 30 प्रतिशत ही मतदान होता है। सीधे-सीधे जो जनादेश आना चाहिए या एक स्वस्थ परम्परा आनी चाहिए वह नहीं आ पाती है। इसलिए हमारा कहना यह है कि जब तक कंपल्सरी वोटिंग नहीं होगी, तब तक नैगेटिवोटिंग का प्रावधान करने का भी कोई औचित्य नहीं होगा। इसलिए ये दोनों बिंदु एक दूसरे से संबंधित हैं। मैं समर्थन करता हूँ कि नैगेटिवोटिंग हो, लेकिन जब तक हम अनिवार्य मतदान की व्यवस्था नहीं करेंगे, तब तक यह संभव नहीं होगा। मैंने उल्लेख किया था कि अनेक देशों में अनिवार्य मतदान की व्यवस्था है और यह कंसैप्ट कोई नया नहीं है। सबसे पहले 1892 में, बेल्जियम में, इसको स्वीकार किया गया। उसके बाद 1914 में अर्जेंटीना में और 1924 में आस्ट्रेलिया में अनिवार्य मतदान की व्यवस्था की गयी।

15.53 hrs. (Shri Varkala Radhakrishnan in the Chair)

आज इस प्रकार की व्यवस्था करीब 32 देशों में है। उनका सीधा तर्क है कि जिस आजादी या मताधिकार को हजारों बलिदानों के बाद प्राप्त किया जाता है, उस मताधिकार के प्रति जब तक जागरूकता न हो, तो शासन या राज्य को ऐसा प्रावधान करना चाहिए कि जो मतदान में लगातार हिस्सा लें, उनको बढ़ावा दिया जाओ और जो जानबूझकर मतदान के लिए प्रस्तुत नहीं होते, उनके लिए प्रताड़ना और दंड की व्यवस्था होनी चाहिए। यही मेरे विधेयक में व्यवस्था आई है। संसदीय लोकतंत्र की आत्मा मतदान है, जिसके कारण शासन या सत्ता सामने आती है और उसके द्वारा लिये गये तमाम निर्णयों से, न केवल वे लोग जिन्होंने वोटिंग की होती है बल्कि जिन्होंने वोटिंग नहीं की होती, वे भी प्रभावित होते हैं। सबके लिए एक समान निर्णय लागू होते हैं। हमारे देश में भी यह चर्चा आज की नहीं है। पूर्व राष्ट्रपति श्री आर. वेंकटरमण जी ने इंडिया इंटरनेशनल सेंटर, नई दिल्ली में 16 अक्टूबर 1999 के एक सेमिनार को संबोधित करते हुए कहा था कि

"In order to include his responsibility to the State, I proposed, during the discussion on the People's Representation Bill in the Provisional Parliament in 1951, that voting in the election at the State and national level should be made compulsory."

आगे कहा है -

"Dr. Ambedkar, who was piloting the Bill, while expressing sympathy with the idea, pleaded practical difficulties in accepting the suggestion. It might have been difficult to introduce compulsory voting in 1952 when adult franchise was introduced for the first time. Fifty years later, no one could plead practical difficulty as an excuse against a salutary reform. I would reiterate the suggestion on this occasion."

इसके अलावा उन्होंने कई चुनाव सुधारों की बात कही। 1951 में जब पीपुल्स रिप्रेजेंटेशन एक्ट पर चर्चा प्रॉविजनल पार्लियामेंट में चल रही थी तब यह विषय आया था। आज जब हमारे यहां दुनिया का सबसे बड़ा लोकतंत्र है, यहां लोकतांत्रिक व्यवस्था को और दिशा देने के लिए और सही परिणाम देश के सामने लाने के लिए अनिवार्य मतदान का विधेयक बनना चाहिए। हमारे नेता प्रतिपक्ष माननीय श्री लाल कृष्ण आडवाणी जब देश के उपप्रधान मंत्री थे, उन्होंने 20 नवम्बर 2003 को देवास में एक सभा को संबोधित करते हुए इस बात की पुरजोर वकालत की थी कि देश के भीतर कमपल्सरी वोटिंग होनी चाहिए।

"The Deputy-Prime Minister, Shri L.K. Advani, on Thursday said, he favoured making voting compulsory in the country on the lines of Australia and Italy where those not exercising their right to franchise are fined."

इसी में आगे उन्होंने कहा है -

"In India, people talk at length about parties, their policies, candidates, etc. but at the time of voting they do not cast their votes. This is not good for democracy."

अगर हम सार्वभौमिक रूप से इस प्रश्न पर विचार करेंगे तो सिद्धांत रूप से जरूर इस पर सहमति व्यक्त करेंगे। यहां सभी अनुभवी सांसद हैं। उनके मन में यह विचार आता होगा। अनेक घटनाएं होती हैं। केवल अनिवार्य मतदान कर दिया जाए, यही बात नहीं है। ऐसा एक और बिल लगा था। श्री चन्द्रकान्त खेरे जी यहां उपस्थित नहीं हो पाए। मैं उनका विधेयक देख रहा था। वह एक कॉम्प्रीहेंसिव विधेयक है। वह भी अनिवार्य मतदान विधेयक लेकर आए हैं। उन्होंने लगभग वही विचार व्यक्त किए हैं जो मैंने किए हैं। उसमें उन्होंने चुनाव आयोग को सुविधाएं देने के विषय में लिखा है। हम केवल कमपल्सरी वोटिंग कर देंगे तो उद्देश्य पूरा नहीं होगा। हमारे पर्वतीय क्षेत्र

और मरुस्थल का इलाका जहां 10 किलोमीटर दूरी पर पोलिंग बूथ्स हैं, वहां पर जाना कठिन होता है और चुनाव आयोग यह घोषणा कर देता है कि कोई गाड़ी नहीं जाएगी, कोई वोटर उसमें नहीं जाएगा। जो वृद्ध, निर्बल है या जो महिलाएं हैं, उनके लिए परेशानी खड़ी हो जाती है। इसके अलावा जो मजदूर तबका है, सड़क और खेत में काम करने वाला मजदूर है उनको मुआवजा नहीं मिलता है, उस दिन की मजदूरी नहीं मिलती। सरकारी सेवा में उस दिन का अवकाश होता है। असंगठित क्षेत्र में काम करने वाले मजदूरों को राजको में से मजदूरी मिलनी चाहिए। अनिवार्य मतदान को सफल बनाने के लिए एनसिलरी प्रॉवीजन करने चाहिए। इनमें जो बातें आएंगी, मैं उनको बाद में विस्तार से रखूंगा।

मतदान का समय कितना होना चाहिए? अभी सुबह सात बजे से शाम पांच-छः बजे का समय मतदान के लिए है। इस बीच में लम्बी-लम्बी कतारें लगी होती हैं। धूप, गर्मी, बरसात होने से कई मतदाता मतदान करने नहीं जाते हैं। ऐसे में मतदान एक ही दिन क्यों होने चाहिए? मतदान की व्यवस्था विभिन्न चरणों में दो दिवसीय, तीन दिवसीय की जा सकती है। इस बिन्दु पर जरूर व्यवस्था होनी चाहिए। इसके अलावा पोलिंग साइट की लोकेशन, जहां मतदान का केन्द्र है, वे करीब-करीब एक किलोमीटर के दायरे पर हो। वहां व्यक्ति आसानी से पहुंच सकता है। आज सरकारी स्टाफ की देश में कमी नहीं है। राज्य सरकारें हैं, स्थानीय निकाय हैं, केन्द्र सरकार के विभाग हैं। वहां आसानी से पहुंच हो सके ऐसी व्यवस्था करनी चाहिए। जो हजार-हजार, दो-दो हजार वोटर का एक बूथ होता है, लम्बी लाइन और भीड़ लगती है, बजाय उसके कम संख्या में छोटे बूथ बनाए जाएं। इसके अलावा इसी में मोबाइल पोलिंग बूथ की सुविधा आसानी से दी जा सकती है।

16.00 hrs.

नगरीय क्षेत्र में विशाकर जितनी मेट्रोपोलिटन सिटीज़ हैं, कस्बे हैं, जिन ग्रामाण क्षेत्रों में सड़कों का जाल बिछाया गया है, प्रधानमंत्री ग्राम सड़क योजना में आज गांव तक सड़क जा रही है, वहां भी पोलिंग बूथ की व्यवस्था हो सकती है। इसके लिए आवश्यक है कि राष्ट्रीय पहचान पत्र बनाने के कार्यक्रम पर बल दिया जाए क्योंकि जो फोटोग्राफी इलेक्शन कमीशन द्वारा कराई गई, उसमें बहुत विसंगतियां आई हैं। इसके लिए एक नेशनलिटी आइडेंटी कार्ड मिलना चाहिए और उसमें कॉलम होना चाहिए कि जिसका वोट पड़ गया है, उसकी एंट्री उसके अंदर होनी चाहिए। इस तरह की व्यवस्था बनाई जा सकती है।

इलैक्टोरल रोल्स के चुनाव में बड़ा दुर्भाग्य रहा। जिस क्षेत्र से मैं चुनाव लड़ रहा था, लगभग पचास हजार मतदाता, जिनकी शिकायत भी मैंने की है और जांच का कार्य भी चल रहा है, पिछली विधान सभा में एक बूथ में उनके नाम पर छः-सात सौ लोगों ने वोट डाला। लोकसभा चुनाव आते आते वह मतदाता घट गए और उसका कोई व्यक्तिगत कारण नहीं बताया गया। केवल एक बहाना बनाया गया कि फोटोग्राफ नहीं लिया गया था और उनके नाम अपनी बचत के लिए मतदाता सूची से हटा लिए गए। इसका विरोध भी हुआ।

जब ग्राम पंचायत का चुनाव होता है तो इलैक्टोरल रोल ग्राम पंचायत का बनाया जाता है। इसमें दो बातें हैं - एक इलैक्टोरल रोल नगर पंचायत, जिला पंचायत का बनता है और राज्य सभा, विधान सभा का इलैक्टोरल रोल अलग से बनता है। लोकसभा का चुनाव आता है तो उसमें फिर से परिवर्तन हो जाता है। इसमें घटत-बढ़त होती है। इसमें मुख्य विषय है कि प्रत्येक राज्य में जब पंचायतों का चुनाव होते हैं तो उसमें वोट का परसेंटेज नब्बे प्रतिशत तक जाता है। इसका एकमात्र कारण है प्रत्येक ग्राम पंचायत में पोलिंग का बक्सा लगता है लेकिन यह रिप्रेजेंटेटिव पीपुल एक्ट, इलेक्शन कमीशन द्वारा चार-पांच ग्राम सभाओं के बीच एक पोलिंग बक्सा लगता है। इसमें दूरी अधिक हो जाती है, भीड़ अधिक हो जाती है, दूर से आने वाले लोगों की उपस्थिति भी घट जाती है, सूची में भिन्नता हो जाती है। अन्य माननीय सदस्यों से भी कहना चाहता हूं कि वे इसमें भागीदारी करें और इसे लेकर आए। मैं माननीय मंत्री जी से कहना चाहता हूं क्योंकि वे रिस्पांड करेंगे कि क्या अपने देश में उनकी ओर से इलैक्टोरल रिफार्म्स को करते हुए कम्पलसरी वोटिंग की व्यवस्था होने जा रही है?

पिछली एनडीए सरकार में कुछ प्रयास हुए थे, उन्हें इलैक्टोरल रिफार्म्स, पोलिटिकल सिस्टम रिफार्म कह सकते हैं। दल-बदल संबंधी कानून पर प्रतिबंध लगाने का, राज्यों के भीतर मंत्रिपरिषद् के आकार का, छोटे राज्यों में मितव्ययिता कम होने का, लोकसभा, विधान सभा, विधान परिषद् के लिए 10 परसेंट की संख्या का विषय था या फिर फौज में कार्य करने वाले सीमा पर खड़े लोगों के लिए परॉक्सी वोटिंग का बिल था। यह निरंतर चलने वाली प्रक्रिया है चूंकि सरकार की ओर से बार-बार यह कहा जाता है कि वह सुशासन की ओर बढ़ेगी तो सरकार को वोटिंग ग्वर्नंस की बात करनी चाहिए। हमें इस बुनियादी सवाल का कुछ न कुछ हल निकालना ही होगा। मैं पुनः कहना चाहता हूं कि अनिवार्य मतदान के पक्ष में उनकी सपोर्ट मिले। पहले बहस 17 दिसंबर को हुई थी और आज 11 मार्च को हो रही है, इस बीच में सुप्रीम कोर्ट ने नेगेटिव वोटिंग का अधिकार देने का विषय रखा है। इस कन्सेप्ट को स्वीकार करना है तो हमें निश्चित रूप से कम्पलसरी वोटिंग की ओर आगे बढ़ना होगा। इसके साथ मैं माननीय सदस्यों को चर्चा में भागीदारी के लिए आमंत्रित करता हूं और निवेदन करता हूं कि वे इस विधेयक पर बल दें।

SHRI K.S. RAO (ELURU): Mr. Chairman, Sir, I am happy and thank Mr. Bachi Singh Rawat for bringing this Bill on compulsory voting for various conditions that are prevailing in our country.

In a country like India, where we value freedom more, you cannot force a citizen to vote compulsorily whether he likes it or not. We can create an atmosphere where the voter must feel like coming to the polling booth and voting. Unfortunately, we have not created an atmosphere in this country where the voter feels like voting. I am not trying to find fault with any party. To express my opinion freely, it is the fault of every party.

If a voter were to come and vote, he is not voting totally out of his free will but because he has no choice. He has a clear-cut opinion, out of his experience in the earlier elections, that none of the parties has lived up to the belief and faith he kept on them that they would do service or sacrifice or at least do their duty. The citizens generally expect the parties to bring a change in their lifestyle or at least a change in the lifestyle of future generations but that does not come true. So, having lost faith in almost all the parties which are expected to serve them and work hard for them, they are reluctant to come out and vote.

The people who vote are only the poor people. They consider it a privilege. They feel they are using their right. They consider the polling day as a festival day. They do not want to miss the opportunity of voting because they consider it a right, the only occasion where they can claim their right. The rest of the people do not enjoy the freedom which they should enjoy in a democracy. All the educated people who claim that they are very knowledgeable, sensible and very conscious of their rights and duties and who can analyse what is good and what

is bad are of the opinion that it is a waste to go out and vote. They feel that there is no point in going to the polling booth because they are not sure whether they can come back safely or not. If this were to be the atmosphere prevailing in the country and if every party were to be looking at only votes and power but nothing else, what is the sense in having compulsory voting?

I do agree and I do support the idea that every citizen must come out and cast his or her vote but under what circumstances and in what conditions should that happen? If we do not create an atmosphere congenial enough to motivate the voter, if we legislate that it must be compulsory because we have got the power and authority and say that they would be penalised or sent to jail for not voting, would we be doing justice in a democracy? I support Mr. Rawat in one way but before enacting the law or before convincing hon. Members of the House to pass the law, let us first work towards creating a congenial atmosphere. We do not have a monarchy or a dictatorship. We are living in a democracy. So, how can we force anybody to vote compulsorily? If we were to follow that procedure, we would have to compromise on democracy also and we are not prepared for that.

We are prepared to sacrifice anything in this country but not the freedom. If our hon. Minister, Shri K. Chandra Shekhar Rao, were to fight for a separate Telengana in Andhra Pradesh, possibly he is of the opinion that there is a regional imbalance. He is of the opinion that some injustice is done to the people for decades in a particular area. He took that slogan. He approached the people and people responded to him, but he cannot force anybody. It is not a magic that he has done. It is on certain cause that the voter has turned up. It is not because of compulsory voting. So, we must see the reasons as to why the voter is unhappy or happy. If we can identify all those reasons why the voter is not coming or why the voter is not voting, without any bias and above party lines, then it is good for the nation.

Today the UPA Government is in power and tomorrow some other party may be there. But all of us, when we are in power are acting in one manner and when we are out of power, we are acting otherwise. Knowing full well that we are destined to be out of power some day or other, still we want to retain power when we are in the Chair. We do not mind doing anything wretched, anything immoral, anything unethical and anything undemocratic so long as we can retain as much power as possible. These trends are not congenial for this Bill, that is, Compulsory Voting Bill. I am not pinpointing any particular party. This is my experience of the last four elections which were held and 20 years where I lived in politics. I visited every village and every house in my constituency and analysed the minds of the people. There are occasions when the poor men were prevented from voting. If I am the candidate and I think that this particular section of people are not going to vote for me, I will find a way out to ensure that they do not come to the polling booth. When I prevent them, then how can I force them to pay penalty?

Now, whenever there is an opportunity in a village, a particular party or a particular candidate if he were to have the strength, both physical and mental, then he will write the names in the electoral rolls in such a way that they will be non-existent, there will be people who have already died and there will be people who have migrated. But he will fill up the entire list and the Opposition Party or the Party which is not in power will make a hue and cry by saying that 'my real voters are deleted from the voters list and all bogus voters are there'. So, this is going on everywhere.

So, this Bill might help in preventing those bogus voters to come into the polling booth. That way, this Bill is good. Suppose, there are bogus voters in large numbers and this Bill were to become legislation, they will be scared to get into that. That way it is helpful. ...(*Interruptions*)

MR. CHAIRMAN : How will it justify the element of compulsory voting system?

...(*Interruptions*)

SHRI K.S. RAO : From the Bill that the hon. Member has introduced it appears if a voter were not to come for voting, he is subjected to a jail term. So, a person whose name is being incorporated, if he were to be non-existent, then I cannot say. If he were to be a person migrated from some other place and he is somewhere else, he will take the initiative to see that his name is not there in a particular village where he is not living so that the real list will come out. I do not bother today if my name is there at four places because there is no punishment for me.

But tomorrow if this Bill were to come, definitely I will ensure that my name is enrolled only in one place and not in any second place.

I will also go scrupulously to that polling booth however much distance it may be to vote there or I will intimate them. If a voter were not to vote for a genuine reason, say ill-health or he has got a prior appointment which he cannot avoid or he takes permission in advance from the respective authority that he will not be able to vote – all these things can be exempted from out of the Bill which can be incorporated by way of an amendment. That is why I cannot say 'no' to his Bill. I certainly support his Bill in certain ways. But, at the same time, you must create an atmosphere for that. That is what I would just say.

On the lack of interest in voting, I have seen analytically, even about me also, that the choice of the voter today is not out of interest. The choice is more out of the process of elimination. Out of the four candidates that were contesting, he will see who is worse or who is to be encouraged less and then on the process of elimination he is going to vote that person reluctantly. When do we change this situation? My friend has said about the negative vote. I approve it, I support it. Suppose, there are four people who are contesting and the voter thinks that all the four are not deserving to be Members of the Legislature. Then, he must be able to say 'negative' to all the four people and the result must be there accordingly. But if there were no choice and the quality and calibre of the people and parties that are contesting in the election were not to his taste and if he thinks that all these people will not do any good to him but will do more harm to him, then should he not have any choice but to say no to them? What is the fun in making a vote compulsory without all these provisions? You must also have these provisions.

All of us, all the Parties can certainly sit together and all the Members of Parliament of various Parties and experts and learned people with experience can

sit together, analyse, put forth all their minds, thoughts, and ultimately come to a conclusion, and then create common conditions where it must be made compulsory with all the conditions and all that which will be all right. Before that, the atmosphere has to be changed. The situation must be changed.

Sir, it is very unfortunate that the word 'sacrifice' is almost forgotten in the political life today. When we think of the people who had worked for Independence, the talk would be something like this. In a village, if a leader say by name Venkaiah talks to his other friend Subbaiah, he would say : "Mr. Subbaiah, I have made sacrifices in the freedom struggle and I have lost all my property, I sold away all the 20 acres of the land that I have. I did this sacrifice with great pride". Then the other person Subbaiah would reply to Mr. Venkaiah like this : "Mr. Venkaiah, you think you are a big man that you have done a lot of sacrifice. I have not only sold my 30 acres of property but I have lost my wife and children when I was in jail during the freedom struggle." Those were the types of conversations which used to be there in those days.

What are the types of conversation today? They are like – 'how much money you have made in how short spell of time' or 'how much power you have enjoyed and in how much time.' There is a competition in earning benefit for selfish interests but not for the sacrifices. You forget about the sacrifice.

Having been elected, remembering the faith that the electorate has kept on us, we have to feel that it is our duty to serve them.

Even when it comes to service, not many are coming forward to serve the people without any self-interest. If this were to be so, do you think, Mr. Chairman, that we can make compulsory for all the people to vote, forgetting all that we are doing here? That is why, I say that before we enact this Bill, all of us must work together to change the situation in this country, to make an atmosphere where a citizen must feel that if I do not vote today, I am committing a crime by not electing a right man for my constituency to serve the people. He must feel it. It must come out voluntarily. It must be in his mind, which is not there. So, I once again humbly request all my colleagues not only in this House but also in the Legislatures of various States that it is not that they have to sell their wives' *mangalsutras* and do sacrifice for the nation; it is enough if public money is put to proper use and for the cause it is meant; it is enough if they were to do their duty consciously that they owe to their electorate, to serve them for the five year period without expecting anything from them. If this were to be so, it is not even necessary to think of this Bill. They will come automatically to vote unless there are valid reasons. Has the country come to the stage where they can think in this manner?

We are observing that because of illiteracy, because of lack of awareness, because of sentiments and because of rumours, a lot of poor people were not coming to vote earlier. But today, awareness has gone up - it may not have gone up totally - among the poorer sections. So, they are coming more in number to vote in comparison with the rich and the middle-class people. They are coming and voting, but unfortunately because the data about the candidates and the parties are not available in full, they do not know precisely who is the candidate, and which party is really going to serve the people. For that, I honestly request the Government also to take the initiative to keep the entire data of the candidates, and the parties who are supporting, known to everybody and to give extensive publicity to it mentioning all the pluses and minuses. If I have committed a crime, let it be published that I have committed a crime. If it is not proved, it is not proved. Or, if I have cheated some institution, it must be mentioned that on such and such occasion, this particular candidate has cheated this particular institution. Or, if I have disproportionate wealth, it should be published that so and so candidate has got disproportionate wealth. Let it be known. People will then decide whom to vote for. We are not doing all these things.

Sir, I have seen that in Kerala - the State you can say that you proudly belong to - in as early as in 1952, 71 per cent voters were coming to the polling

booths to vote. It was too high a percentage. In the same period, the figure was 40.5 per cent in West Bengal. But now, the figure is the highest in West Bengal with 76.7 per cent of the voters coming to vote. ...*(Interruptions)* That is what is written. ...*(Interruptions)* My mind is open. ...*(Interruptions)* I would just say that awareness among the people - I do not want to say whether it is good or bad - has gone up in certain States, maybe because of increase in literacy rate or some other reasons. If the literacy rates were to go up in same degree in other States also, then we can think of these things and have to make an effort in bringing them to that stage.

There is one more happy event. In the initial years, I understand, the percentage of female voters was 38.8 in 1957.

The figure, in 1989, has gone up to 57.3 per cent. It is also a good indication, though we expect more and more voters to come forward to vote.

We are observing that large numbers of girl students are coming into schools and colleges with the recent development of encouragement being given for women's education. Their performance is also exemplary in comparison with the boys of the same age. We can expect, over a period of time, that the women voters will increase substantially, and will exceed the number of men voters. This is also a happy development.

Another issue that I would like to mention is with regard to the location of the polling booths. During my visit to the villages I used to hear a constant demand from the poorer sections in the villages for a separate polling booth there. I used to ask the reason for such a demand, and they used to say that the present location of the polling booths was at a place where all the rich, and middle-class people live. The villagers stated that those rich people did not allow them to vote freely, and according to their own wish. The villagers stated that they were scared to go for casting their vote there. I am aware that some parts of a particular village did not go to vote in an election because of the voters being scared to go there.

In 1989, I was a candidate contesting in the elections, and in my presence the poorer sections of one village were not allowed to vote at all. The villagers said that they did not want to vote because they were scared. They wanted one person to be posted there to shield them. So, I sent a strong man from another village to be present at the polling booth to ensure that the villagers belonging to the poorer sections are allowed to vote. I saw that the rich man of the village was giving directions from a window to all the people of the poorer sections that they must show whom they are voting before casting their vote. This sort of a thing was going on there. The person sent by me tried to oppose this practice, but he was chased out of the place in my presence. He was running away to save himself from them. A police van was stationed near that place, but they did not protect him. This sort of a pathetic situation is prevailing in certain parts of the country for a poor voter to use his choice. How can we enforce compulsory voting if this is the condition prevailing in the country?

We must try to create an atmosphere where nobody will have any fear of voting. Today, there is fear, and if polling booths are taken out, then no action is taken against them. No immediate action is taken even if people are prevented, coerced, threatened, or killed. Perhaps, the case will go to court, and it will continue like this. Even in cases where things are almost proved, and everybody knows that something went wrong, still it will not be decided. The case goes to the court, and the proceedings continue for years together. How can we infuse faith among the citizens that justice will be done to them in such a situation? It becomes a joke, and a farce. All of us will discuss for hours together as to what is to be done and what is not to be done, but without any real impact at the ground level.

Sir, there must be a change in the attitude of all of us irrespective of our getting re-elected next time. No Member of the legislature should think that he must necessarily get elected in the next elections. If he were to think that he must

get elected in the next elections by hook or by crook, by wrong means or right means, by ethical means or by unethical means, by moral means or by immoral means, then there is a chance of his taking the wrong path to achieve that objective. If everyone of us were to think that we do not bother to get re-elected next time, and we will serve the people for five years without any self-interest, then everyone of us will be united. This attitude would lead to a conclusion in establishing the norms, and establishing ethics for securing democracy, which was achieved with the help of a lot of sacrifices made by our forefathers.

Sir, with regard to the booths, everywhere there is a requisition from the poorer sections that they must have a booth in their area, so that they will be free to vote. The Government has to take this aspect into account, and act accordingly. The Government has to increase the number of polling booths. It is written that the expenditure for electioneering has come to Rs. 800 crore in the 1999 general elections.

By increasing the number of booths by another ten per cent, wherever there is a complaint, the Government is not going to lose anything in a big way. It will save democracy; you are creating faith among the people, more particularly among the poor and the underprivileged. Sometimes, the Government does not come forward because

the party in power thinks whether it is going to be beneficial to them or not. If benefit were to be the criteria or the case, then our discussions would not lead to anything.

There are suggestions for proportional representation. This topic is being discussed in this country for quite a long time. I think, there is a reason to think of this aspect. The reason for it is that in a multi-party system that is existing in our country, if there are four parties, for example, and with 60 per cent or 70 per cent of the people exercising their franchise, a person who is getting 17 per cent or 18 per cent of the votes might also get elected by the electorate. A person who is representing 18 per cent of the citizens or the voters cannot be a real representative of the majority; the rest 60 per cent or 82 per cent would be deprived of expressing

their voice in the legislatures. They may express their voice outside, but by and large, the prominence or weightage is given only to the expression of views in the legislatures. Therefore, the expression of views, through their representatives, of 18 per cent, 20 per cent or 25 per cent of the people is being reflected and not that of the majority.

If proportional representation were to be given, then they would also be careful in selecting the right candidates. Today, the parties are not selecting the right candidates. The leader of a party has got his own human weaknesses. He does not see whether a person is loyal or disloyal, and whether the person concerned has abused him or found fault with him on some genuine grounds. He will choose a person who dances to his tunes or who toes his line, and who is submissive to him. If it were to be the way of selection of candidates by the respective parties, then also we are not doing justice. By means of proportional representation, even if the leader of a party chooses to make a wrong choice of the candidate, maybe, due to his whims and fancies or due to his personal likes and dislikes, people are there to judge him. In that case, the total number of voters will come down to a particular party; it will lose that privilege or get less number of votes. It may not exactly happen like this, but it is something that can be discussed in depth as to what the benefits, advantages or disadvantages of this system are. We can certainly give a thought to this system of proportional representation in this country so that people's will is reflected in a proper manner in all the legislatures, be it in the State or at the Centre. In that context, we can think of the provisions contained in this Bill. They need not be in vogue forever, but they can be there at least for some time so that we can make the voters habituated to this kind of a thing. We can make them feel that their votes are required to reflect their views and also to ensure that undesirable and unwanted people do not enter into the legislatures, and only those who can do sacrifices, who can do their duties perfectly, and fight for their causes or bring a change in their lifestyles -- if not in one decade, at least, in a few decades' time; a change for their betterment which

may not benefit this generation, but at least, it will benefit the next generation -- enter into the legislatures.

With these points, while concluding, I would request the pardon of my colleagues; they should not misunderstand my expressions because it does not refer to any particular party or it does not say anything about any particular individual. In general, I have quoted these things and these are my feelings. These are my feelings. These are also my experiences with the voters in the villages.

I congratulate the hon. Member for bringing forward this Bill. I am thankful to you for giving me opportunity to express the general feelings of the voters in the villages in many parts of the country. My colleagues will discuss the merits and demerits of the Bill and arrive at conclusions as to whether this should be legislated or we should create an atmosphere in which people will voluntarily come forward in big numbers to exercise their vote unless there is a valid reason for not doing so.

With these words, I express my sincere thanks to the hon. Member and also to you for giving me this opportunity. I thank all my colleagues also.

SHRI BASU DEB ACHARIA (BANKURA): Mr. Chairman, Sir, I cannot support this Bill because this goes against the

spirit of democracy.

Voting cannot be made compulsory. I fully agree with hon. Member Shri K.S. Rao on that. What is the problem today in our country? Why in certain States the percentage of voting is less than 50 per cent and in some other States it is 30 per cent, 35 per cent or 40 per cent? Why are the voters disenchanted in a number of States? Why are the voters disillusioned? Why are a majority of voters not interested in exercising their franchise? We will have to seriously consider this.

We cannot consider this in isolation. Why is the percentage of voting more than 70 in some States? Why is it less than 40 per cent in some States? Why has an atmosphere not been created in the society to make the voter feel that by exercising his franchise he can elect somebody who can deliver the goods? Why has this atmosphere not been created in some States even after many elections?

We keep receiving complaints that in some States people belonging to some sections like *Dalits*, Scheduled Castes and Scheduled Tribes are not allowed to exercise their franchise. There are some voters who are not allowed to cast their votes. In such a situation, what is necessary for us to do? There should be a change in our electoral law. Without changing our electoral law merely making voting compulsory will not serve the purpose. We have not made education compulsory in the country. We have been demanding that education, at least primary education, must be made compulsory in the country.

We are asking to make voting compulsory. Is it possible? Is it practicable? What is the solution today? We have been hiring money power, muscle power and *baahu bali*. Today *baahu balis* are being elected. What is the criteria being adopted by the political parties when they nominate for contesting elections? Known criminals, history-sheeters and *baahu balis* are being nominated by political parties. People know them; voters know them. How will the voters find interest to exercise their franchise if they are to vote for a *baahu bali*? How will the voters get the interest to exercise their franchise? So, there is a need to change

the electoral law. We have anti-defection law. There are lacunae. In the past, we have seen how *aya rams* and *gaya rams* changed parties. Today, he will be in one party, tomorrow, he will be in another party. There is no ideology.

Election manifestos are for the purpose of elections only. Political parties forget election manifestos they bring out for elections. They ask vote and support of the people on the basis of manifesto they bring out but after elections, they forget about the manifestos. ...(*Interruptions*) Attempts are being made to implement some points of the agenda. Maybe, there is a pressure from the Left. We will continue to put pressure on the Government on the basis of which we are extending our support. ...(*Interruptions*)

MR. CHAIRMAN : Please address the Chair?

SHRI BASU DEB ACHARIA : How would the people get interest? If a political party forget their programme or manifestos after being elected and if people find some changes, changes in the attitude, how would the people find interest?

Why is the percentage so high in the State of West Bengal? In the Panchayat elections, percentage is more than 90 or 95 per cent. In elections to Assembly and Lok Sabha, percentage is more than 70 or 75. Why is it so? It is so because that atmosphere has been created. During the last several years, there had been a number of elections - elections to Assembly, Lok Sabha, Panchayats, Municipalities, Managing Committee of the Schools and Governing bodies of the colleges and elections to the democratic institutions.

As that atmosphere has been created, we find more and more people participating in the elections in West Bengal. So, it is the proper atmosphere which is required and not that the voting be made compulsory. Voting cannot be made compulsory as it is against the spirit of democracy. Making voting compulsory will go against the spirit of democracy and the democratic structure of our country. Therefore, I cannot support this Bill.

श्री मोहन सिंह (देवरिया) : स्भापति महोदय, मैं श्री बची सिंह रावत को धन्यवाद देता हूँ कि एक निजी विधेयक पेश कर उन्होंने लोकतंत्र की बुनियाद और जो लोकतंत्र का मूल मतदाता है, उसके साथ लोकतंत्र का रिश्ता क्या हो, इसकी ओर ध्यान दिलाने की कोशिश की है। उनकी भावना ठीक है लेकिन इस बिल में उन्होंने जो प्रावधान किया है, उसमें कहा गया है —

"Any person who fails to cast his vote shall be liable to a fine of Rs. 100 or one day's imprisonment or both in case of deliberate avoidance, forfeiture of his ration card and be rendered ineligible for contesting

any election for a period of six years. "

आगे लिखा है---

"Forfeiture of four days' salary or delay in promotion for a period of one year. "

इसमें जो दंडात्मक प्रावधान हैं, यदि उनको लागू कर दिया जाए तो इस देश की जेलों में कहीं जगह नहीं है और न ही उनको पकड़ने वाले इतने रक्षा बल और पुलिस के मुलाज्मात हैं कि इतनी बड़ी तादाद में उनको जेलों में ले जाकर सुरक्षित रखने का काम करें।

दूसरी बात है, उन्होंने अपने भाषण के दौरान उदाहरण दिया कि इस तरह का प्रावधान बेल्जियम, अर्जेंटीना और आस्ट्रेलिया में है। हमारे देश के बारे में कहा जाता है कि हम लोग हर साल एक नया आस्ट्रेलिया पैदा कर देते हैं। बेल्जियम की आबादी भी आस्ट्रेलिया से कम है। हमारे जो छोटे-छोटे राज्य हैं - उत्तरांचल, जिसके वे प्रतिनिधि हैं, उस राज्य की जितनी आबादी है, पूरे बेल्जियम की आबादी उसके बराबर है। अर्जेंटीना उससे कुछ छोटा होगा। 80-85 लाख से लेकर एक करोड़ के देश को इस तरह के कठोर नियम बनाकर उस पर उसकी व्यवस्था कर देना आसान काम है। भारत में इससे अधिक घुमन्तू आबादी है, जो घूमती रहती है, जो सैद्धान्तिक रूप में यह स्वीकार करती है।

यहां ओला जी बैठे हुए हैं। इनके राज्य में एक जाति ऐसी है जो कहती है कि हमारे घर स्थायी रूप से नहीं होने चाहिए, हम राणा प्रताप फौज की पलटन के सिपाही रहे हैं और उन्होंने आदेश दिया है कि जंगल जीवन व्यतीत करना चाहिए और घूम-घूमकर अपनी रोजी-रोटी कमाना चाहिए। इस देश में अर्जेंटीना और बेल्जियम की जितनी आबादी है, उतनी ही उनकी आबादी है। वे कहीं के वोटर नहीं बनाए जाते, उनको कोई वोटर नहीं बनाता। यदि रावत जी का यह विधेयक मान लिया जाए और कानून पास कर दिया जाए तो उस पूरी जाति को रेलवे स्टेशन और रेलवे लाइन के किनारे से पकड़कर जेलों के भीतर एक हफ्ते के लिए रख दें कि आपने वोट नहीं डाला। उनका स्थान जेल में सुरक्षित करना पड़ेगा।

एक और दलील रावत जी ने दी है। यह अच्छी बात है कि कभी इस देश के राष्ट्रपति रहे एक व्यक्ति ने प्रोवीजनल पार्लियामेंट में एक विधेयक पेश किया था और डा. अम्बेडकर ने व्यावहारिक कारणों से हमारे देश में कानून बनाने की बात कही थी। उसे खत्म कर दिया गया। पुराने लोग जानते हैं कि वर्ष 1952 का जो चुनाव हुआ, उसमें बक्स में पर्ची डालने के नियम थे। सभी पार्टी के अलग-अलग बक्स और अलग-अलग चुनाव चिह्न थे। उस वक्त बक्स में पर्ची डाल दी जाती थी और ठप्पा वगैरह लगाने का कोई प्रावधान नहीं था। उस समय जनता श्री जय प्रकाश नारायण को सुनने के लिए इकट्ठी होती थी लेकिन चुनाव के बाद जब बक्सा खोला जाता था, तो सारे वोट कांग्रेस पार्टी के मिलते थे क्योंकि कांग्रेस के कार्यकर्ता जागरूक थे। वे राष्ट्रीय आंदोलन से निकले थे और सरकारी मशीनरी पर उनका अधिकार था। कांग्रेस के सारे लोग इकट्ठी पर्ची काटकर दो बैलों की जोड़ी वाले बक्स में डाल देते थे और इस तरह सारी सीटें कांग्रेस जीत जाती थी। जिसको हमारे लालू भाई बाद में कहते थे कि वोट कहीं डालो, बक्स में से जिन्न निकलेगा और इन्हीं की ही पार्टी जीतेगी। वस्तुतः जिन 1952 में निकला था जब इस तरह से वोट डाले गये थे।

महोदय, अब हमने काफी पद्धति विकसित कर ली है। फर्जी और बोग्स वोटिंग के सिस्टम को हमने धीरे-धीरे अपने देश में बदला है। इलेक्ट्रॉनिक वोटिंग मशीन आने से बिहार के रिजल्ट पर भी असर पड़ा है। मैं बिहार के पड़ोस का रहने वाला हूं और मैं जानता हूं कि सब लठैत हमारे पड़ोस में इकट्ठे होते थे। जितने माफिया और बदमाश किस्म के लोग थे, उनको पैसा बांट दिया जाता था। अगर कोई मजबूत पार्टी हमारे बगल में लड़ती थी तो हमारी जान बच जाती थी कि चलो सब लठैत बिहार में चले गये और वहां ठप्पा मारकर चले गये। जार्ज फर्नांडीज के चुनाव क्षेत्र कटोरिया चानन जैसे गंभीर इलाके में, निर्जन इलाके में, मधु लिमये जी के चुनाव से लेकर, जार्ज फर्नांडीज जब आपके साथ न होकर हमारे साथ थे, उस जमाने का मैंने चुनाव देखा है। कांग्रेस के लोगों ने कहा था कि हम 50 हजार वोटों से जीतेंगे और वे 50 हजार वोटों से ही जीतते थे। पुलिस वर्दी में गुण्डे कलैक्टर के नेतृत्व में वहां घूमा करते थे कि कैसे बूथ पर कब्जा किया जाये। वहां जो महिलाएं थीं, उन्हें वोट देने का अधिकार नहीं था। लेकिन इस बार के चुनाव में हमने देखा कि हमारे जिले के गुण्डे बॉर्डर पर ताक रहे थे कि उधर सीआरपीएफ है, इसलिए वहां जाने पर गोली लग जायेगी और हमें मार दिया जायेगा।

मैं यह नहीं कहता कि इस बार बिहार में चुनाव बिल्कुल फ्री एंड फेयर हुआ। मैं निजी अनुभव से कह सकता हूं कि मोटे तौर पर अन्य चुनावों के मुकाबले इस बार बिहार में आम जनता ने वोट डालने का जो सुख है, उसकी अनुभूति की है। â€¦ (व्यवधान)

ग्रामीण विकास मंत्री (डॉ. रघुवंश प्रसाद सिंह) : सभापति महोदय, क्या यह बिहार के बारे में बोल रहे

हैं? â€¦ (व्यवधान)

श्री मोहन सिंह : आपको बोलने का पूरा अधिकार है। आपको तो जवाब देना है क्योंकि आप मिनिस्टर हैं। â€¦ (व्यवधान)

डॉ. रघुवंश प्रसाद सिंह : हम इंटर्विन करेंगे और मैम्बर की हैसियत से बोलेंगे।

श्री मोहन सिंह : आप बिहार के बारे में तो बोलते हैं। हम उस बात को इसलिए कह रहे हैं क्योंकि केवल यहां की बात नहीं है। इसका असर बहुत सारे इलाकों पर पड़ा है। जब 1991 के उपचुनाव में श्री नरसिंह राव जी नांदियाल क्षेत्र से भारी मतों से जीत कर आये, तो उन्होंने बहुत थोड़े से लोगों की बैठक बुलाई। उसमें उन्होंने कहा कि हमारे यहां तेलगू में 'सत्तु' शब्द चलता है और वही शब्द बिहार में भी चलता है। कभी कोई आदमी बिहार का माइग्रेट करके आंध्र प्रदेश में आया होगा और अपने शब्द को, जो वहां चने से सत्तू बनता है, वही तेलगू में हम कहते हैं, उस शब्द को माइग्रेट किया होगा। हमने कहा कि पुराने जमाने में सत्तू शब्द बिहार से आंध्र प्रदेश में माइग्रेट हुआ और आज के युग में बूथ कैपचरिंग बिहार से नांदियाल में माइग्रेट हुई जिसके चलते इतने वोट का प्रतिशत आया। जिस किसी कैंडीडेट का हम चुनाव जीतने का मार्जिन अखबार में पढ़ते हैं कि एक लाख से ऊपर वोटों से वह जीता, तो मेरी अपनी निजी धारणा है, इसके लिए मुझे क्षमा कीजिएगा, उसमें हम लोग भी शामिल हैं, कि एक लाख, दो लाख, तीन लाख या साढ़े तीन लाख का उन्होंने कीर्तिमान बनाया और विश्व में इतने बड़े मार्जिन से कोई नहीं जीता, जितना लोक सभा के चुनाव में अनुक जीता, तो मेरी अपनी निजी मान्यता है कि उसमें 50 फीसदी बोग्स वोटों का भी हिस्सा रहता है जिससे वोटों की मार्जिन बढ़ती है। एक बात सीपीएम के मित्र कह रहे थे कि हमारे देश में यदि सही वोट के लिए लोगों को छोड़ दिया जाये तो वोट का प्रतिशत लगातार गिरता जा रहा है।

ऐसा करने के पीछे जो बुनियादी कारण है, वह बुनियादी कारण यही है कि समाज का, इस देश का आम आदमी अब यह महसूस करना धीरे-धीरे बन्द कर रहा है कि वोट की पद्धति के जरिए हमारे भाग्य का निर्धारण होने वाला है और इस धारणा के जरिए धीरे-धीरे वोट का प्रतिशत कम हो रहा है। उसमें इस भावना का भी बहुत बड़ा योगदान है। रावत जी का मैं इस बात की तरफ ध्यान दिलाना चाहता हूं कि लोकतांत्रिक पद्धति केवल यही नहीं है कि अधिक से अधिक वोट पाकर हम चुनाव जीतकर आ जाएं, यह उसका रिफ्लेक्शन है, बल्कि लोकतांत्रिक संस्कृति में हर तरह की विचारधारा को पनपने, फलने-फूलने का अधिकार होना चाहिए। यह लोक

तंत्र की मूल भावना है और इसी भावना को हम मानव अधिकार के नाम से जानते हैं।¹⁶ (व्यवधान)

MR. CHAIRMAN : I have to attend to some other business. Since no one from the Panel of Chairmen is available, if the House agrees, I would request Shri Hannan Mollah to occupy the Chair.

SEVERAL HON. MEMBERS: Yes, Sir.

16.56 hrs. (Shri Hannan Mollah *in the Chair*)

श्री मोहन सिंह : मैं कह रहा था कि केवल वोट के जरिए कोई चुनाव जीत जाए, इतना ही लोक तंत्र नहीं है। लोक तंत्र में जिस किसी भी विचारधारा का एक ही आदमी मानने वाला हो, उसे पनपने और बने रहने का अधिकार है।¹⁷ (व्यवधान)

सभापति महोदय : आप कंटीन्यू कीजिए। उनकी कुछ रिलेवेंट बात नहीं है।

श्री मोहन सिंह : रात जी इस बात को जानते हैं कि हमारे देश में कुछ ऐसे तत्व हैं जो ये कहते हैं कि संसदीय लोक तंत्र और पार्टी डेमोक्रेसी में उनका कतई यकीन नहीं है। दलीय लोक तंत्र की भावना को वे स्वीकार नहीं करते हैं और इसीलिए वे कहते हैं कि हम वोट देने नहीं जाएंगे। इसीलिए उनका नारा होता है कि जो वोट देने जाएगा, उसको भी हम रोकेंगे। यदि इस तरह की पद्धति आप लागू कर देंगे तो इस तरह की विचारधारा और नारा देने वाले जो लोग हैं जिनकी तादाद भी इस देश में अच्छी-खासी है, कोई कम नहीं है तथा धीरे-धीरे आप कह रहे हैं कि 14 राज्यों में प्रवेश कर गये हैं और अपनी विचारधारा डाउन-ट्रॉडन पीपुल्स में खासकर प्रसारित करने का काम करते हैं और वोट के समय वे वोट के सिस्टम का बहिकार कर देते हैं तो क्या आप लाठी-डंडा लाकर¹⁸ (व्यवधान)

मैं आगे यह कहना चाहता हूँ कि यह जो अनिवार्य रूप से हर व्यक्ति को वोट देने के लिए अनिवार्य करना चाहिए लेकिन अनिवार्य करने के साथ-साथ जो दंडात्मक प्रावधान है, उसे हम कैसे इस देश में पूरा करेंगे? आखिर इलेक्शन के समय हम रक्षा वाहिनियों का इन्तजाम करते हैं। इलेक्शन के काम में लगे हुए जो राज्य कर्मचारी हैं, उनको हम चुनाव के इन्तजाम के लिए लगाते हैं और वे सभी जागरूक होते हुए भी मताधिकार प्राप्त करने के बावजूद वोट देने की जो प्रक्रिया से वंचित हो जाते हैं। उनकी व्यावहारिक कठिनाइयाँ होती हैं। उसी के साथ-साथ जो दूसरी दिक्कतें रात जी ने बताई, मैं कहना चाहता हूँ कि ग्राम सभा के चुनाव के समय जो वोट होता है तो 90 फीसदी वोट होता है। मैं अपने निजी अनुभव के आधार पर कह रहा हूँ कि ग्राम सभा, टाउन-एरिया और नगरपालिका के चुनाव में जो वोट होता है तो उसमें यदि किसी एक जगह में वोट हो रहा है तो एक गांव जिसका वह रहने वाला होता है, पूरा गांव वहां का वोटर होता है और वह गाड़ी लाकर वहीं वोट कराने लगता है और ग्राम सभा में वोट जब होता है तो शहर के

लोग जाकर वोट करते हैं। इसका नतीजा यह होता है कि जब अलग-अलग चुनाव होता है तो ग्राम सभा का प्रतिशत बढ़ जाता है, टाउन-एरिया, नगरपालिका का जब चुनाव होता है तो प्रतिशत बढ़ जाता है लेकिन जब देश भर का चुनाव एक साथ होने लगता है तो सबको अपने बूथ पर जाकर ही वोट देना पड़ता है और एक ही बार वोट देना होता है। इसलिए लाजमी तौर पर जो संसदीय चुनाव और विधान सभाओं के चुनाव हैं, उसमें मत का प्रतिशत कम होने का एक बहुत बड़ा कारण यह भी है।

17.00 hrs.

इसलिए हमको कोशिश करनी चाहिए कि जो मताधिकार देने का प्रश्न है, वोटर लिस्ट तैयार करने का प्रश्न है, इसके बारे में हमें पुनर्विचार करना चाहिए और इस पर गंभीर रुख अख्तियार करना चाहिए। हमारे देश में गांवों में रहने वाले आदमी रोजी-रोटी की तलाश में शहरों में आते हैं।

17.01 hrs. (Shri Varkala Radhakrishnan *in the Chair*)

महानगरों में उनको मताधिकार का कोई अधिकार नहीं मिल पाता है क्योंकि मतदान के लिए वोटर लिस्ट में उनका नाम नहीं होता है। इसलिए हमारे देश में वोटर लिस्ट तैयार करने की जो पद्धति है, उसमें परिवर्तन किया जाना चाहिए। इसका कोई वैज्ञानिक तौर-तरीका अपनाया जाना चाहिए जिससे इस देश के सही वाशिनियों के विश्वास का प्रतिनिधित्व हो सके। हमारे देश की सीमाएं खुली हुई हैं और मैं निजी अनुभव के आधार पर यह कह सकता हूँ कि रोजाना नेपाल और बांग्लादेश से हजारों लोग हमारे देश में काम करने के लिए आते हैं और फिर अपने देश वापस लौट जाते हैं। इसी तरह हमारे देश के अन्दर भी बड़ी संख्या में घुमन्तू आबादी है। यह घुमन्तू आबादी भी सही वोटर लिस्ट तैयार करने में बाधक है। इसलिए मैं ऐसा मानता हूँ कि यदि हम अपने देश में मतदान को अनिवार्य बनाते हैं और उसके उल्लंघन पर दण्डात्मक प्रावधान करते हैं तो उससे तमाम व्यावहारिक कठिनाइयाँ उत्पन्न हो जाएंगी। इसलिए मैं इस भावना से सहमत हूँ कि लोकतंत्र का वास्तविक रिफ्लेक्शन तभी हो सकता है जब जनप्रतिनिधि अधिक से अधिक लोगों के विश्वास के आधार पर चुने जाएं और अधिक से अधिक लोगों के विश्वास का प्रतिनिधित्व करें। लेकिन मेरा मानना है कि इस विधेयक में बहुत सारी त्रुटियाँ हैं। भारत सरकार की ओर से एक समिति बनाई जानी चाहिए और इस पर विचार किया जाना चाहिए कि हम इस देश में किस तरह की चुनाव पद्धति अपनाएं ताकि जनता के सही अभिमत का प्रतिनिधित्व हो सके। मैं इस भावना के साथ इस विधेयक के प्रति अपनी असहमति व्यक्त करता हूँ।

KUMARI MAMATA BANERJEE (CALCUTTA SOUTH): Sir, I thank you for giving me this opportunity. I do not think that we should discuss this issue on political lines. The intention of the Bill is very good but I do not agree with the Bill *in toto*. The fundamental rights of the people are involved here. There is freedom of expression. Clause (1) of article 19 provides fundamental rights such as right to work, right to vote, and right to expression. Our Constitution has given the fundamental rights to all of us. I support the intention of the Bill though I do not agree with the third and fourth paragraphs of the Bill. I agree with the first paragraph of the Bill. I think the Government must bring a comprehensive Bill to discuss the matter with all the political parties. This is the right time for the Government to bring a comprehensive Bill on this particular subject to see how the democracy could be strengthened. The need to bring this type of Bill is very clear. Day-by-day, we are observing the demolition of democracy because of money and muscle power. One day, we will see that the persons who have money power alone would come to Parliament and the Legislatures. The common people from the grass roots like us will not be able to come here.

Therefore, the need of the hour is that the Government should have a re-think on the matter. Should it always happen that only a handful of people will have their say? That is not enough. The mover of this Bill has at least given a thought to this aspect. The Government must think about this matter and convene an all-party meeting to seek their opinion and then come forward with a comprehensive Bill.

Sir, if you see the voting pattern today, is it not a fact that only a few political parties who have become very rich are controlling the entire country? I am not mentioning the name of any political party here. There are some political parties who are very poor financially. In every walk of life there are good and bad people. Why do we have this Parliament? If we have to fight elections we have to spend lots of money. Instead of spending lots of money every time on elections, we can spend them for the development of the country.

CHAIRMAN : Do you support the idea of compulsory attendance of Members in the Legislative Bodies?

KUMARI MAMATA BANERJEE : Of course, we support this idea. I come from a distant place. I have to take care of my party affairs. From morning to night if I am sitting here and is not allowed to ask any question, then what is the use of that? There should be some rights of the Members. Please give us work, we are willing to work. But if you do not allow us to speak and if you see it from political point of view, then what can we do?

MR. CHAIRMAN: I am attending Parliament everyday from morning to evening.

KUMARI MAMATA BANERJEE : Sir, I must tell you that sometimes here discussions take place on matters like daily allowance of Members and such other things. On principle, when I do not work, I do not sign the register. I think, you will appreciate this fact. It depends on individuals. You are saying a different thing and I am on a different point. The Government must bring in a comprehensive Bill on this matter with a concrete plan of action for its implementation.

Sir, if *mafia* power and muscle power is allowed unabated, then it would not be possible to maintain the democratic fabric of this country. The Vohra Commission, some ten years ago, in their report mentioned about the nexus between politicians, the *mafia* power and muscle power and how they are running this country. Black money is being transformed into white money. The people with black money, the rich people think that politics is for them and not meant for the common people. We people sometimes are thinking as to who would run this country. Is it the politicians? Or, is it the so called typically rich people who have everything with them? They do not think about the common man.

Sir, money does not come from the heaven. It is the rich people who have enough money and uses them to fulfil their own interests. But people are not saleable and purchasable commodities. I congratulate the mover of this Bill because he has at least given us the opportunity to discuss this matter in the House.

Sir, I heard what the leader of the CPI(M) Party in the House said about the Bill. He is perhaps not present in the House. He said something like that he was against the spirit of the Bill.

He has said that he is against the spirit of the Bill and he mentioned something about the panchayats. Before saying so, I would request the Government to think about the matter. Firstly, State funding should be considered. What we need is the electoral reforms if we wish to combat the situation. Why are people losing faith in the politicians? It is because they know that their real image is not reflected. The real image is reflected only of some individual persons. That is why, the new generation of voters are losing faith in democracy. It is not the democratic system which is wrong but the politicians. I think we have to be transparent and accountable to the people. We feel that electoral reforms are needed.

The reports of Shri Dinesh Goswami and Shri Indrajit Gupta were submitted. But the Government is not taking action about the electoral reforms. If we go for State funding, I think, transparency can be maintained. What is the difficulty in that? At least, let us make a beginning as regards electoral reforms.

I will add more to it, namely, political reforms. Politicians have to take care of themselves. Sometimes there is a verdict from the Supreme Court and sometimes there is a verdict from the High Court or the Election Commission regarding good candidates. But who cares about it? If you see the list and the character of people, then we may realise that what we are observing today is very unfortunate and sad. I do not know whether next time common people will be elected to the Legislature or the Parliament. Only people who dream of going to the sky and not the grassroots will be coming here. So, we need State funding,

political reforms and electoral reforms though we have a proposal for judicial reforms and administrative forms. This part has to be covered.

Election Commission must take proper care about the functioning of the democratic system and to strengthen it. In

our country, we have seen that rigging started among the voters from day one. My good friend, Mr. Acharia, is not present now. He mentioned that the percentage of polling in West Bengal is so high and the polling rate is so high because of the atmosphere. What is that atmosphere, Sir? If I am wrong, I would even give you the authority to expel me from the House. I do not think you require me to say more. If I am wrong, you can do it. Mr. Das Munsri is here. You can ask him also. I can give you hundreds of examples about the polling percentage and where strength of the biggest opposition is zero. Out of 1000 votes polled, have you got all the 1000 votes? Can you show me a single example all over the world? Can you show a single instance? I am saying this in this House.

In the Midnapore constituency of Parliament, there is an Assembly segment called Khejuri. Sir, the voting percentage there is 120 per cent! It is a matter of shame to our country. We complained to the Election Commission and others. But we have not got justice. He said that because of the atmosphere, polling rate is high. He mentioned about the panchayat elections. That is why, I have brought this book here. This book is not published by me. It is published by West Bengal Election Commission. He mentioned that the polling turnout in the panchayat election is 95 per cent. Sir, due to paucity of time, I am not going to mention all the things. But, with your permission, I would mention only two or three points.

If you see the panchayat election results for the Panchayat Samiti of Hooghly, you will find that 23,61,025 voters are there in total.

The number of voters who represent the uncontested seats is 9,50,563. About 239 seats remained uncontested. Out of 56,006 panchayat seats, they did not allow the Opposition to contest in 23,000 seats. It includes Congress, BJP,

Trinamool Congress and others. I am quoting from their Report. I told you about one district, Hooghly. I can give you another example, about Burdwan. The total number of voters is 18,01,161. The number of voters who represent the uncontested 125 seats is 4,65,747. I would like to give another example. I will not take more time. In Bankura district the total number of voters is 29,87,590. The number of voters who represent the uncontested 206 seats is 7,78,053. I should not have mentioned all these things. I had to mention all these things because he was talking about 95 per cent voting percentage.

Sir, I want an inquiry to be conducted into this. Please set up a Commission of Inquiry. There are so many precedents. It should inquire as to how the voting percentage is 90 to 100 per cent in West Bengal when in other States the voting percentage is 40 to 60 per cent. It has crossed all the limits. We want an inquiry either by a Commission or by the CBI. You can do it through the agency which suits you. I have given my suggestion. Please see that democracy survives there. There is no democracy there. You can talk about Bihar. बिहार में लालू जी के खिलाफ आवाज उठाना बहुत आसान है लेकिन बंगाल में we have State-sponsored terrorism, State-sponsored voters lists, and State-sponsored killings. There, everything is State-sponsored. We are not getting any justice. We are not asking you any extra advantage. We are not asking you for money. We are only asking you to please ensure that genuine voters are allowed to vote. You have to ensure that.

My next point is about Electronic Voting Machines. We heard so many things about that. Before any election in the State, the Election Commission has to take care of that. Why only in Bihar? Why not in other States? Give that charge to the Election Commission to prevent them from voting through the political machinery, if you want to strengthen democracy there.

Sir, I appreciate the Bangladesh Government. They have got some good things. In Bangladesh, whosoever is in power will have to resign six months before the elections. The President or the Chief Justice of the Supreme Court will take charge during that period. Why don't we accept the same method? In our State, 69 lakh voters' names have been deleted from the voters list because they were our supporters. It is unfortunate. Nearly 23,000 panchayat members were not able to contest. People who had gone to vote, their hands were chopped, legs were chopped, tongues were cut and their eyes were smashed. They include minorities. Now, you are talking of secularism.

What kind of a secularism is it? If you want to see communalism, you come to West Bengal. I would invite all of you. Anybody can go there. I am not going to come with you because you may think that I am going to influence you. So, you should go on your own, from your own side. Please go there and ask the people as to what is going on there. Is it democracy which is there? Or is it an emergency-like situation which is there where it is more than ESMA or Emergency? What is going on there? Is it democracy or is it emergency condition that is prevailing there? What is there? Is it democracy or autocracy? That is why, I feel that there is a serious situation prevailing. We are going in for a serious disaster.

Sometimes, people show lack of interest. So, you have to restore the confidence among the people. This restoration of the confidence of the people can work through electoral reforms, State funding of elections and through political reforms, administrative reforms etc. Of course, you are making an appeal for that. Our new generation is not coming forward to vote. This is not good for the country. There is no future for the country if it continues. Who will take care of the future of this country? Because of the political situation, because of the political parties, the double standard role played by the political parties, the hypocrisy of the parties, all the people are not coming forward to vote.

All the parties are talking about manifesto at the time of elections. After the elections, there is no transparency. They say something and do something else. Why do you not go in for an inquiry? When the political parties started their parties, what was the amount in their bank accounts? What was the Non-Performing Asset? What is their Non-Performing Asset now? What is the parties' asset and money now? Why do you not take care of these things? You should start from my party because charity begins at home. I would request you to start from our own party. This is our open challenge. I am sorry to say all these things because we have seen the happenings.

Now, the Delimitation Commission has started its work. Is it a fault to control population? I appreciate the South Indian people who have controlled the population. There is some problem in the Northern and the Eastern regions also. But, Sir, the Delimitation Commission has started its work and the delimitation process is going on. I would tell you that if some States control population, then they are going to be victimised. Nowadays, the infiltration is coming from the borders. They are going to be the winners. But the culturally, geographically, historically and educationally advanced people are victimised. In South India, even the literacy rate is very high. They control the population.

In my State, I am telling you that we have 21 seats in Calcutta. The proposal is to curtail ten seats there because we control the population like the South Indian people. Is it a curse? Is it a fault? Or, is it a creditable thing? I would request you to look into this. The delimitation process is going on. Before that is finalised, you have to take care of certain things. If you freeze the existing seats for the Lok Sabha and Assembly, then what will happen? Because of the infiltration in the border areas, our people will suffer. I would request you to strictly maintain the existing seats. Whatever population is there in any district, you divide the seats according to that. But because some State has done good work, if you victimise that State, it will not help matters. We have seen things. If some States have done bad work, they will get the reward. It cannot be like that. I think the Government must take up the matter with the Election Commission. It is not only my personal request but also our request to the Government to take care of these things.

I told earlier also that I am not saying anything which will create a political disaster. We have to take care of the Election Commission. We have to strengthen it. What we have seen is that at the time of elections, nowadays, the impartiality on the part of the officials is very poor. There is no loyalty on the part of the State officials. It is only promotion which plays a role. Sometimes, the officials are also victimised if they do not serve the interests of the ruling party and all that. So, I think, the Election Commission must set up its own infrastructure. Instead of depending on the State officials totally, I think the Election Commission must set up its own infrastructure and act impartially. Through its own infrastructure, it can do justice to the people. This is our feeling.

As far as Electronic Voting Machine is concerned, the Government must investigate about its functioning. In my State, there is a constituency called Salt Lake and I have seen that the EVM was tampered there because the result was not going in favour of the Ruling Party. A rumour is going on that if the EVM is tampered with, then it can be loaded. So, I think, the Government must order an investigation about it. A television channel has already shown about the tampering of the EVM. We hear so many things about how to load the EVM and people say that if you tamper the EVM, then whatever button you press, the voting will be done in one particular way. If it is true, then we can forget democracy and only emergency will be there, not democracy.

Sir, the intention of our hon. friend who brought this Bill is very good, though I do not think that there should be any compulsion for anything. The people of the country have their own compelling reasons for not voting. If they see that good people are coming forward to contest the election, then more and more people will come forward to vote. So, we should not blame the people. Sometimes, in the name of democracy, only bogus voting takes place and ghost votes get polled and some people say that they have got 120 per cent more votes than their opponents. In our election system, 120 is not a bad word and only 420 is a bad word. Do you not think so? It happens in Khejuri, therefore, a thorough investigation is required into the functioning of Electronic Voting Machines in the interest of democracy.

With these words, Mr. Chairman, I thank you very much for giving me this opportunity. I have so many documents with me. If a full discussion takes place in this House on a comprehensive plan of action, then I will show you all the documents. I have shown the book only because my friends have raised some issues here. We have got so many books with us where we have written in detail as to how we have become 'zero' and they have become heroes only through rigging done by the CPI (M). I hope this will not happen in future.

MR. CHAIRMAN : Shri B. Mahtab.

...(Interruptions)

SHRI HANNAN MOLLAH (ULUBERIA): Mr. Chairman, Sir, I want to make a submission. I would like to say that the floor of Parliament has been misused to malign a particular State. I want to put on record that 100 per cent falsehood has been said against West Bengal by a person who is frustrated and who has been rejected by the people of West Bengal.

KUMARI MAMATA BANERJEE: Mr. Chairman, Sir, I have to make a submission now because he has mentioned about my speech. ...(Interruptions) Sir, you ask him about wakf properties and how many properties have gone...(Interruptions)

MR. CHAIRMAN: Mr. Hannan Mollah, you are at full liberty to say anything that you want to say when your turn comes to speak. You can say that at that time.

...(Interruptions)

KUMARI MAMATA BANERJEE: Sir, he has referred to me. I said earlier also that you can expel me from this House if you think that what I say is wrong. Do you want any bigger challenge than that? I have got the guts to say all these things and that is why I have put forward all those facts here. They do not have the guts to say factual things. In spite of 100 per cent rigging, we have got 30 per cent of the votes. Do not forget Mr. Hannan Mollah, next time we will give you minus *rosgulla* and nothing else. ...(Interruptions)

MR. CHAIRMAN: Nothing will be on record except the speech of Shri B. Mahtab.

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SHRI B. MAHTAB (CUTTACK): Mr. Chairman, Sir, it has been an encouraging discussion since Shri Bachi Singh Rawat has moved this Bill before this House and the purpose of discussing this matter is based on two aspects.

One is to exercise one's voting right. Second is, should we make it compulsory or mandatory for voting? These are the two aspects on which we should discuss.

A little bit of historicity is also built into it and very rightly the mover of this Bill, Shri Rawat has mentioned about Belgium. In 1892 this compulsory voting concept was introduced in Belgium, but subsequently it was in the late 60s of last century, Belgium abandoned this idea. Today in the whole world, in most of the democratic countries we do not get the true picture as to which are the countries that are enforcing compulsory voting. It is because, as has been said, a number of Acts are made by different countries not necessarily to be enforced. In our country also, we have a number of Acts, which are not enforced. But those are pious wish of the nation or pious wish of the elected body and those are not enforced. In some countries, these Acts also provide certain loopholes, some pathways or some gateways to slip through it or as we say an escape route where it may be enforced it will be done and where it may not be enforced it gives this much of liberty to the establishment to ignore it.

I will give you one example. Luxembourg is a very small country carved out after the demise of the Soviet Union. There, they have a system of compulsory voting. But a person who is more than 70 years of age, for him it is not mandatory to come and vote. Similarly, in some countries where exercising franchise from ages 16 to 18 and from 61 and above is not mandatory, but from age 18 to 60 it has become mandatory.

In different democratic countries, different types of compulsory voting is prevalent and in most of the countries where this law is there, it is not enforced in true spirit or in true sense of the term. In that respect, a number of other things have also been mentioned in the Bill by the mover, Shri Rawat. One is, to make it mandatory, you have to have certain clauses of punishment and you also should have certain clauses of incentives. These are the two aspects, which he has mentioned.

I would like to draw the attention of this House and as has been very rightly pointed out by two senior Members of this House that who will be the enforcing agency. In our country, it is the Election Commission, no doubt. But the Election Commission has to depend on the Government machinery and the Government machinery here means it is the police force and the magistracy.

We know that in the last 58 years of independent India's administrative history how the magistracy and the police have functioned and on whose guidance and instruction this branch of administration operates. Second is, as has been rightly pointed out, should we need negative vote? We do not have ballot papers any more, but we have the

Electronic Voting Machines (EVMs). Very rightly, negative vote has been pointed out during the last 6-8 months.

MR. CHAIRMAN: Nobody will turn up.

SHRI B. MAHTAB: The Apex Court has come out with an idea to have another clause, another column, another button in the EVM to have 'none of the above' point. It is a negative vote.

A lot of discussion has been made in our country and also abroad. This is also not a very new concept. It is also enforced in some small States like Switzerland. I am not sure about Singapore. But it has its repercussion also. It throws open a lot of other points of view which do not come into the scope of the discussion today when we are taking up this Bill. But despite that, negative voting idea has a wider support base in our country. It is because when the Party leadership is selecting a certain candidate for the Party, at times it is not appreciated by the general public even though they support that Party. When they do not find a candidate to their liking, they do not have any other avenue. They are not going to support another Party's candidate. But they want to enforce their franchise. There is no scope to do that within the present system, of scheme of things which we have adopted for the last more than 50 years. There is no scope to express his opinion. So, that is the basic reason why the negative voting has a wider support in our country, but it has its legal ramifications.

In that respect, I think in future if this House will take it up, we can also discuss that aspect. But when we are discussing this specific point on compulsory voting, I am sure, the hon. senior Members, who are present here today, are aware that this is not a new thing which we are discussing in this House. We had discussed it in this House. I think, Sir, you are aware about that because of your seniority, and so also the hon. Minister for Rural Development. In the Eighth Lok Sabha this topic was also discussed.

When we come to the compulsory aspect or mandatory aspect of a citizen who has to exercise his opinion, who has to express his decision, I think, it becomes a very debatable point. At times, we have a tendency to mix two things into one. There are two words which are invariably used—one is 'independence' and another is 'freedom'. These two words in the English language have two different meanings, but at times we use both of them, 'independence' and 'freedom', together as synonyms.

As has been enshrined in the Constitution, freedom has a very laudable meaning. How a person views it, how a person takes a decision and how he exercises his opinion, and to what extent freedom expands has also, in a way, been expressed by the founding fathers of our Constitution. I would come to that aspect later on, while concluding my speech.

I want to mention here that when you compel a person to express himself, you restrict him to a given point of view. We do not have a negative voting system yet but a negative voting system also has other connotations as I had said earlier. In some cases, it has also been mentioned that if fifty per cent of the voters vote, 'none of the above', a re-poll has to take place. So, should we accept that? Should it have an impact on the leaders of political parties to change the candidates? If the leaders do not change their candidates, what inducement package would the party or candidate come up with so that the voter percentage would increase and the voting 'none of the above' would decrease and go below fifty per cent? In such a case, number of factors would come into play.

When you are forcing someone to vote by saying that if he did not do it he has to pay Rs. 100 or serve a jail term for one year, you are curtailing his freedom. I think, even the mover of this Bill would agree with me that the greatest advantage that our Constitution has given to every citizen of this country is freedom. I am free to express myself, to make my own living but my freedom is restricted in a sense. I can express myself. I can throw out my hand upto another man's nose but it should not hit others. I am given only that much of freedom by this Constitution. At the same time, the Constitution has also expressed in very many words the duties of a citizen. Here, the mover of the Bill has mentioned about certain inducements. I am sorry, 'inducement' is not the right word. The right word is 'incentive'. But what is seen as 'incentive' by some people could be seen as 'inducement' by some others. The responsibility for providing the incentive and inducement to encourage people to go to the polling booths lies with the political parties. ...(*Interruptions*)

MR. CHAIRMAN: Hon. Member, please excuse me. There are more hon. Members who want to speak on this important Bill. So, if the House agrees, the time for discussion on this Bill could be extended by one hour.

SEVERAL HON. MEMBERS: Yes.

MR. CHAIRMAN: I want to clarify the position. The extension of time is not meant to be used up today. The House would adjourn at 6 p.m. but the time extended for discussion on this Bill would be utilised later.

SHRI B. MAHTAB: Here I want to draw the attention of the House about boycott of voting. That is also an expression to our dissatisfaction to the system that is prevalent in that area. ...(*Interruptions*) Boycott is also a

freedom of expression. We should not encourage it being representative of the people but we cannot restrict it. This has found expression in very many terms in our country. It has happened in different constituencies, at different panchayat levels, at different district levels and it has also happened at different State levels.

Here I would like to draw the attention of the House that expressing our dissatisfaction or expression of dissatisfaction by a large section of the society, I think, it first happened in the State of Punjab at some time in eighties. It has also happened in the State of Assam, in the State of Jammu and Kashmir and in certain pockets of North-Eastern States. ...*(Interruptions)* That is why, when the mover of this Bill, I think, in 2004 had moved it, he had kept this aspect in view. This is my presumption. But this has happened. Once in Punjab, a so-called popular Government came into existence where the polling was not above 25 per cent; a so-called popular Government came into existence in Jammu and Kashmir where the voting was not more than 28 per cent; and a so-called popular Government came in Assam where the total voting percentage was not more than 30 per cent. ...*(Interruptions)* Should we make it 40 per cent? It never happened. These are all on record. To correct the situation, I do not think compulsory voting is the panacea. But in certain countries they have this system and this system is that they do not practice compulsory voting throughout the country, but in certain given pockets compulsory voting is there. It is a constitutional propriety. They do not enforce it throughout the country. They have identified certain areas where compulsory voting should be done.

I do not plead for compulsory voting in Jammu and Kashmir or in Assam or in Punjab. I think the hon. Minister of Small Scale Industries and Minister of Agro and Rural Industries will agree with me that we have large tracts in our country which are Scheduled Areas. It is enshrined in the Constitution and those areas need this type of support. It should not encourage a negative way of voting. It should not be a curse on them so that the State can extract money or impound them and put them in jail.

But it should be an encouragement that by exercising their right of citizenship they get this much of support from the State. That is how we can encourage the people of scheduled areas to come out from their houses and exercise their right – the right to vote.

Here, it reminds me about one martyr of 1942 Quit India Movement. I think he is the lone Scheduled Tribe leader in the country – Shaheed Lakshman Naik – who had never exercised his voting right during those British days. He did not have that voting right. But the day he was imprisoned, thousands of people had courted arrest during that time and when he was put behind bars and after the judgement was pronounced that he would be hanged to death, at that time he cried aloud saying 'I will be born again in this country which will be free and where I will exercise my vote.' Such was the belief in vote.

The right to vote in democracy has been fought throughout modern history. In the last century alone, the soldiers of numerous wars and many freedom fighters of our country have fought and died as did Lakshman Naik who had never voted, but he had a dream that at some point of time this country will gain freedom and people will come out to vote unhesitantly. Last century has seen womenfolk coming out in great numbers in England, which is regarded as the mother of parliamentary democracy; but those womenfolk were not allowed to vote in Britain till mid of last century. In the United States, the struggle for Independence was for the freedom and to exercise vote because they treated it as a right.

In our country, till 1952, adult franchise was not implemented. This country grew into a democratic one as the enlightenment came through the freedom struggle. Accordingly, this country got the right of adult franchise irrespective of gender and during late Eighties, in Rajivji's time, exercising the franchise came down from 21 to 18 years. Since then, I think, the hon. Chair will agree with me and so also the House, since then tremendous change has come in the national politics. Since 1989 after the franchise limit has come down to the age of 18 years, not a single Government has come to power at the Centre which is not a coalition Government. No one-Party Government is coming to power after that.

This change in voting age has a tremendous impact on the social aspect also. Every person who believes in democracy and democratic right as I do, so also many of us, we will always strive to have a conducive atmosphere where every citizen should exercise their right to vote, should exercise their right to expression and exercise their right of opinion. But, at the same time, I would say, in a more than one billion populated country like ours, where more than 55 per cent of the population are supposed to exercise their voting right, we should also remember that this is an old nation which is more than 5,000 years old or more and yet it is a young country.

What I mean by young country is that the number of voters in the age group of 18 to 35 is much more than those in the age group of 35 and above. This age group will be increasing in another 15 to 20 years. In that respect, all steps should be taken to make citizens aware that they should exercise their opinion through vote. And at the same time, adequate steps should also be taken to see that the voters' list is correct.

When we mention the percentage of polling, we take into cognizance the voters' list, the names that are printed in the voters' list. It has not only happened in the constituency of Shri Rawat, but it has happened invariably in every constituency. All of us have gone through that phase and all of us have also made complaints, but nothing much has happened. Names of thousands and thousands of people, names of eminent people and dignitaries have been deleted. Why has this happened? That is the fault to which I would like to draw the attention of the hon. Minister. I would like to say that there is tremendous dependence on the bureaucracy to make our electoral system a success. There is no other way out and nobody is thinking of any alternative way. This Bill has given us the scope to discuss. I think, more Members will enlighten us on this very aspect. If I would be given time the next day when we will be discussing it, I can also discuss on this very aspect, about how much dependent we have become on bureaucracy, how voters' list is prepared, how polling booths are selected. There is too much dependence on the Presiding Officer or the District Magistrate. He can make a person win by his action and he can also make a person lose by his action, and there is no way out. We do not get the opportunity to discuss about it.

When we talk of electoral reforms, it is a very wide canvas, but on this very aspect, just because political parties are contesting elections, they should not be treated culprits. Anybody can be impounded for any allegation just because he does not pull on well with the power, with the system that is prevalent in that State or that district. In that respect, I would ask how Election Commission is going to ensure a foolproof voters' list. I would also say that do not expect a person who is contesting somewhere in Tamil Nadu or Kerala or his party to come to the Supreme Court to lodge a complaint.

MR. CHAIRMAN : Shri Mahtab, if you are not concluding today, you can continue next time. Otherwise, you have one or two minutes. If possible, you conclude.

SHRI B. MAHTAB : Sir, my speech will not be complete today.

MR. CHAIRMAN: Are you concluding today?

SHRI B. MAHTAB : No, Sir.

MR. CHAIRMAN : Mr. Mahtab, you can continue till 6 o'clock.

SHRI B. MAHTAB : Thank you, Sir. Today, the onus lies with the Election Commission to ensure a correct voters list. I know that there is a system that electoral rolls are prepared and displayed before the Sub-collector's office, and the political parties are informed to make additions, alterations, and if at all they have any suggestions to make they can make, etc.

MR. CHAIRMAN: Mr. Mahtab, you can continue your speech next time.

18.00 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on

Monday, March 14, 2005 / Phalguna 23, 1926 (Saka).
